IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 371 OF 2005
IN
WRIT PETITION NO. 118 OF 1994.

Roshanlal S.Jain. ... Petitioner

Versus.

Maharashtra Housing and Area
Development Board and ors. ... Respondents.

Shri A.R.Pandey for the Petitioner.

Shri K.R.Belosey, A.G.P. for Respondents No.2.

Shri M.C.Shah for Respondent no.3.

Ms.S.A.Dhamale for Applicant.

CORAM : H.L.GOKHALE, &
ABHAY S. OKA, JJ.

DATED : 24th FEBRUARY, 2006.

P.C.:

1. Heard Shri Pandey in support of this Motion. Shri Belosey, A.G.P. appears for Respondents Nos.1 and 2. Shri Shah appears for Respondent No.3. Ms.Dhamale appears for one Raghu Danappa Hegde on whom this Motion is served. The Motion seeks to restore petition which was dismissed on 29th September 2004 as per prayer clause (b). Prayer clause (a) is for condonation of delay. Prayer clause (c) is for carrying out amendment in the petition after its restoration. This amendment was granted by order passed on 14th January 2005 on Chamber Summons No.224 of 2004 whereby this Hegde was to be joined as an additional Respondent. We grant this Motion in terms of prayer clauses (a), (b) and (c).

Order of dismissal is set aside and the petition is restored to file. The Petitioner will carry out amendment to join this Raghu Danappa Hegde as Respondent No.4 within one week from today. The Petitioner will serve the amended petition on this added party. Petition be thereafter listed for hearing along with Writ Petition No.2014 of 1997. Motion stands disposed of.

(H.L.Gokhale, J.)

(Abhay S.Oka, J.)